

takes revenues from offshore oil and gas drilling and invests them in our Nation's public land, letting States take the lead. For 40 years this program has a proven track record and benefited from strong bipartisan support.

It was the same bipartisan support that proved successful here today. Clearly the level of funding provided in this bill is far from what is required. In fact, the level of funding is at the same level it was when we resuscitated the program back in 1999. So I am disappointed with that. However, any amount appropriated to this program, no matter how small or large, serves a valuable purpose.

I commend my colleagues for their hard work. I thank those who helped reinsert funding for the Land and Water Conservation Fund back into this bill. I hope that we can come to some sort of consensus that next year we will restore funding to a level that is adequate, and to a level that we all promised our constituents.

Mr. Speaker, I will insert for the RECORD the letter I referred to earlier.

CONGRESS OF THE UNITED STATES,

Washington, DC, July 22, 2005.

DEAR CONFEREE: We are writing to request that, as you move toward conference with the Senate on the FY 2006 Interior Appropriations Bill, you support the funding levels that were included for the Land and Water Conservation Fund (LWCF) in the Senate passed version of the bill.

Since its creation in 1964, the Land and Water Conservation Fund (LWCF) has been a critical source of funding for the National Park Service, Fish and Wildlife Service, Bureau of Land Management, and Forest Service. This funding is used to support the acquisition and maintenance of our national wildlife refuges, parks, forests, and public domain lands.

In addition, the LWCF also funds a matching grant program to assist states and localities in acquiring recreational lands and developing facilities. An integral part of the LWCF, the state-side matching grant program has provided state and local parks and recreation directors with the desperately needed funding to help preserve open space and develop recreational facilities. Over the years, these matching grants have been used successfully to fund more than 37,000 state and local park and recreation projects, enabling millions of Americans to hike through magnificent scenery and view historic sites, bike along seaside and river trails, and picnic and play ball at local parks.

The Senate-passed FY 2006 Interior Appropriations Bill provides \$192 million for LWCF, which includes \$30 million for the state-side grant program and \$162 million for the federal program. This funding is absolutely essential for the proper stewardship of our nation's magnificent natural heritage, and therefore, we strongly urge you to maintain the funding levels for LWCF state-side and federal grant programs provided for in the Senate bill. Thank you for your consideration of this request.

Sincerely,

Jim McGovern, Rush Holt, Peter T. King, Jim Marshall, Robert E. Andrews, Michael H. Michaud, Michael M. Honda, Howard L. Berman, Rahm Emanuel, Barbara Lee, Donald M. Payne, Dennis J. Kucinich, Joseph Crowley, Richard E. Neal, Henry Cuellar, Rob Simmons, Rosa L. DeLauro, Shelley Berkley,

Allyson Y. Schwartz, Melvin L. Watt, John Spratt, Jim Oberstar, John Lewis, Nick Rahall, Scott Garrett, Dan Lipinski, Mike Doyle, Betty McCollum, Harold Ford, John T. Salazar, Jim Langevin, Leonard L. Boswell, Elijah E. Cummings, Lloyd Doggett, Gene Green, Nancy L. Johnson, John Shimkus, Jo Bonner, Spencer Bachus, Mike McIntyre, Julia Carson, Vito Fossella, Adam Smith, Doris O. Matsui, Solomon P. Ortiz, Brian Higgins, Silvestre Reyes, Tammy Baldwin, Mike Thompson, Charles F. Bass, Tim Holden, Jay Inslee, Frank Pallone, Jr., Martin Meehan, Juanita Millender-McDonald, Ike Skelton, Grace F. Napolitano, Sander Levin, Jerrold Nadler, Bernard Sanders, Chris Van Hollen, John B. Larson, George Miller, Tom Lantos, Gary L. Ackerman, Jim Matheson, Sherwood Boehlert, Ed Case, Raúl M. Grijalva, Dale E. Kildee, Jim McDermott, Earl Blumenauer, Jim Saxton, Dennis Cardoza, Carolyn McCarthy, Michael R. McNulty, Ellen O. Tauscher, Timothy H. Bishop, Edolphus Towns, Peter DeFazio, Anthony D. Weiner, John D. Dingell, Sherrod Brown, Wm. Lacy Clay, William Delahunt, Louise Slaughter, Barney Frank, Robert Menendez, Eliot L. Engel, Bobby Scott, Ben Cardin, Tom Udall, Janice Schakowsky, Bart Gordon, Lynn Woolsey, Stephen F. Lynch, Donna M. Christensen, Thomas Allen, Thaddeus G. McCotter, Lois Capps, Emanuel Cleaver, Mike Ferguson, Bart Stupak, David Price, Lane Evans, Carolyn B. Maloney, Jeb Bradley, Steve Israel, Pete Stark, Bob Etheridge, Mark Udall, Sue W. Kelly, Jerry F. Costello, Luis V. Gutierrez, Christopher Shays, Mike Ross, Charles A. Gonzalez, Neil Abercrombie, Anna Eshoo.

Mr. HASTINGS of Florida. Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate all of the discussion that has gone through on this particular bill. We have had it on several different occasions. There are a lot of good things that are in this particular bill.

The gentleman from Florida (Mr. HASTINGS) has mentioned the one portion of the \$1.5 billion to solve the hole in the veterans funding area, that once the issue was validated could have been an easy chance for people to grandstand. But I am very proud of this entire Congress in a bipartisan way, who gave instructions in a bipartisanship way, which came as close to a unanimous vote as I have seen here on the floor.

Mr. Speaker, it is an appropriate step to do, to now take this and then review the process so that we can continue to go on. We have much to do in this particular area, but in each year that I have been here in this Congress, I have been very proud that we have tried to move forward in different areas and make progress to fully fund and fully maintain our commitments.

The same thing has gone on with all of the other programs in this particular budget and this particular con-

ference report. This committee has once again done a great job in trying to come up with the principle that all appropriators ought to be doing a prioritizing program. They have prioritized the programs. Mr. Speaker, overall, we can be very positive of that.

Mr. DICKS. Mr. Speaker, I rise in support of this rule to allow for the consideration of the conference report on the fiscal year 06 Interior and Environment Appropriations bill. And I intend to intend to vote for the conference bill.

Although I am critical of several aspects of this bill—including the low overall spending level—without a doubt this process has been fair and open. Because of the low allocation, there are some problem areas.

But the overall conference report is well worth supporting. With the addition of \$1.5 billion in spending for Veterans health care attached to this bill, I believe that this conference report will get widespread support in both the House and the Senate.

The conference agreement contains another year of healthy increases in National Park Service operations funding. I do wish that the Clean Water Act State Revolving Fund was higher. I also wish that the Conference Report had retained the extra \$10 million in NEA funding that the full House approved in a floor amendment last May. It is important to point out that this agreement contains successful compromises on the issue of pesticide testing on humans and on federal funding for the Martin Luther King, Jr. Memorial to be built on the National Mall.

Again I want to reiterate my strong support for this rule and the conference report on the fiscal year 06 Interior and Environment Appropriations bill. And I want to thank Chairman TAYLOR and his staff for including the minority throughout this process.

Mr. BISHOP of Utah. Mr. Speaker, I yield back the balance of my time, and I urge the Members to support the rule that provides for consideration of this conference report to the accompanying H.R. 2361, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HENSARLING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX further proceedings on this question will be postponed.

#### WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 6, ENERGY POLICY ACT OF 2005

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 394 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 394

*Resolved*, That upon adoption of this resolution it shall be in order to consider the

conference report to accompany the bill (H.R. 6) to ensure jobs for our future with secure, affordable, and reliable energy. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 394 waives all points of order against the conference report and against its consideration. The resolution also provides that the conference report shall be considered as read.

Mr. Speaker, there are few matters that we will consider this year as important as this comprehensive energy plan. As we are all know too well, our Nation badly needs an updated energy strategy. High oil and natural gas prices are causing stress on our economy by raising the price of energy on almost all consumer products, driving up costs for American families, and on job-creating businesses.

Every industry from agriculture to tourism to manufacturing is negatively affected by high energy costs. We need to update our laws to reflect the changing global energy market, encourage conservation and energy efficiency, and to foster the advance of new technologies that make traditional fuels cleaner and make emerging energy sources more reliable and competitive.

This conference report will do just that. This legislation reflects the fact the energy challenges we face today are complex, that no single approach is going to solve all of the problems. This comprehensive energy strategy takes a balanced approach. It includes incentives related to oil, natural gas, and nuclear energy, but also emphasizes conservation, energy efficiency and renewables.

The energy plan updates and enhances the Energy Star Program, promotes the use of clean coal technology, clarifies the process for siting liquified natural gas terminals, encourages development of hydrogen-powered cars, and extends tax incentives for the production of renewable energy from wind, biomass and other resources.

With respect to electrical power issues, this legislation includes consensus language providing for mandatory reliability standards for electric transmission to help prevent blackouts like we saw in the Northeast in 2003. It also encourages investment in transmission lines to eliminate bottlenecks in the electric grid. There are also im-

portant provisions providing for enhanced consumer protection against the kind of market manipulation we experienced in the west coast electricity market 4 years ago.

Mr. Speaker, I want to point out a couple of areas that are particularly of interest to my part of the country, the Pacific Northwest. We depend on clean, renewable hydropower for much of our electricity consumed in our region; however, the relicensing process that non-Federal dams must go through is too cumbersome and needs to be reformed. It currently takes an average of 10 years to get through the relicensing, but often that can take longer. This energy bill provides for a much needed overhaul of this lengthy dam relicensing process, potentially saving ratepayers millions of dollars while ensuring protections for other river interests to remain in place.

License applicants will now have the ability to propose alternative license conditions to those made by Federal source agencies. These more cost-effective alternatives will then be accepted, provided they are shown to provide the same level of environmental protection.

This conference report also preserves regional flexibility in achieving certain national electric marketing and transmission goals. This reflects the reality of what works in many areas of the country, but may not work in other areas that have a hydropower-based system.

This legislation strikes the proper balance on these and many other complex energy issues. I commend the gentleman from Texas (Chairman BARTON) and the gentleman from Michigan (Mr. DINGELL), the ranking member, and the gentleman from California (Chairman THOMAS) and the gentleman from New York (Mr. RANGEL), the ranking member, for their perseverance and leadership in crafting this conference report.

Mr. Speaker, it is time to take action to combat high energy costs and reduce America's dependence on foreign oil. Let us pass this balanced and bipartisan energy plan.

I urge my colleagues to support the rule and the underlying conference report.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from Washington (Mr. HASTINGS) for yielding me the customary 30 minutes.

Mr. Speaker, after passage of this rule, the House will consider the conference report for the energy bill. And before I explain why I strongly oppose this conference report, let me congratulate the gentleman from Texas (Mr. BARTON), the chairman of the Energy and Commerce Committee, for presiding over a full and open conference committee. Last Congress Democrats were shut out of the conference committee. Republicans wrote

that bill in the dark of night and behind closed doors. This time the chairman opened the process. He consulted frequently with the gentleman from Michigan (Mr. DINGELL) and held public hearings.

The energy bill is an important piece of legislation that deserves to be debated out in the open, and while I do not support the final product, I want to commend the chairman for attempting to restore some bipartisanship to this Chamber, and I hope others will follow his example.

The gentleman from Michigan (Mr. DINGELL) deserves to be singled out as well. His long and distinguished career has produced some of the most important laws that govern our Nation. The gentleman from Texas (Chairman BARTON) said it best last night in the Rules Committee when you talked about trying to discern the intent of one provision that would change current law. The chairman told the Rules Committee that as he was trying to explain the intent of the law, the gentleman from Michigan (Mr. DINGELL) leaned across the table and talked about what he intended when he wrote that provision years ago.

And so I want to commend the gentleman from Michigan (Mr. DINGELL) for his work on this conference committee.

With that being said, Mr. Speaker, let me comment on the substance of the energy bill. I must say that I agree with the editorial in this morning's Washington Post which says, and I quote, "The nicest thing we can say about the comprehensive energy bill is that it could have been a lot worse."

We all know that our Nation is facing a severe energy crisis. The President knows it, the House knows it, and, most importantly, our constituents know it. As we stand here today, the average retail price for gasoline is \$2.32, up 40 cents just this year. For a family of four this amounts to nearly \$3,000 spent annually on gasoline. That is a tax increase courtesy of the Bush administration and the Republican-led Congress, and the oil companies that are reaping the rewards of record profits.

Yet the conference report that we have before us today does nothing, absolutely nothing, to lower energy prices for consumers. It fails to reduce our Nation's dependency on foreign oil. It makes no real commitment to the development of renewable energy sources.

In all, the oil and gas industries will receive a multibillion-dollar package of tax breaks, and if that was not for the dedicated leadership of the gentleman from California (Mrs. CAPPS), these same companies would have also been shielded from liability claims for their role in polluting our Nation's water supply with MTBE.

But let us be clear: Though a few concessions have been made, this bill is nowhere near what it should be. In fact, this bill is chock-full of giveaways

to the oil and gas industry at the expense of public health and environmental safety.

If enacted, nearly 30,000 new oil and gas projects developed each year will be exempted from clean water requirements which aim to control erosion and run-off into rivers and streams. These same companies, including the administration's friends at Halliburton, would also be permitted to inject fluid laced with toxic chemicals into oil and gas wells. This provision alone poses an enormous threat to the safety of our Nation's drinking water sources, and if that was not bad enough, this bill extends the reach of the Federal Government into what should be local energy decisions.

Local communities like the City of Fall River, Massachusetts, in my district would have virtually no say in the construction, expansion and operation of liquid natural gas facilities. Permits granted by State agencies would no longer be subject to review by State courts. Rather Federal appeals courts, which are far from experts on individual State laws, would have exclusive jurisdiction. This provision undermines the ability of State and local officials to protect their communities from dangers surrounding LNG.

Mr. Speaker, the bill that we have before us today is not a comprehensive approach. It does not solve our Nation's energy crisis. And I cannot say it any more simply than this: The Energy Policy Act will harm the environment, reward special interests at the expense of consumers and taxpayers, and limit States rights.

Mr. Speaker, I think we could have done much, much better, and I believe that it should be defeated.

Mr. Speaker, at this time I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois (Mrs. BIGGERT.)

Mrs. BIGGERT. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise today in strong support of the rule and the conference report to H.R. 6, the Energy Policy Act of 2005.

After a series of fits and starts over the past 4 years, Congress now stands ready to approve the first comprehensive national energy policy in well over a decade.

I want to congratulate the gentleman from Texas (Mr. BARTON), the chairman of the Energy and Commerce Committee, and the gentleman from New York (Mr. DINGELL), the ranking member, on a job well done. As chairman of the Science Subcommittee on Energy, I am honored to have helped develop this legislation. In particular I want to thank the members and staff of the Energy Subcommittee and the full Science Committee, as well as our colleagues in the other Chamber for all of their hard work in crafting the research and development title of this act.

This bill makes a much-needed and sustained investment in basic science

and applied energy research that will lead to advanced energy technologies and future energy solutions.

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Not only will this balanced portfolio of research help expand and diversify our energy supply while reducing energy demands; it will also educate and train the scientific and technical talent necessary for our Nation to remain competitive and secure.

In recognition of the fundamental role that science places in the development of advanced energy technologies and in fulfilling DOE's mission, this bill also elevates science within the Department by creating an Under Secretary of Science. It also puts an Assistant Secretary at the helm of the Department's nuclear energy research programs. Leadership at this level is needed if we are to use research and technology to reduce the volume and toxicity of nuclear waste and capitalize on the many benefits of safe, emissions-free nuclear energy.

I urge my colleagues to support the rule and the conference report which use science and technology to put America on the path towards a more secure and energy-efficient future.

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. BARTON), the chairman of the Committee on Energy and Commerce, an individual that has worked extremely hard on this legislation along with the ranking member, the gentleman from Michigan (Mr. DINGELL), and deserves a great amount of credit for bringing this legislation forward.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, I thank the distinguished member of the Committee on Rules for yielding me time.

Mr. Speaker, I rise, first of all, in strong support of the rule that the Committee on Rules has put forward on this significant piece of legislation. I think it is a very fair rule, and my guess would be that it is going to be passed by voice vote.

I really want to talk about the underlying bill because this afternoon, since this is a conference report, there is only going to be an hour of debate evenly divided on each side. So I want to talk a little bit about the policies in the bill right now.

Our Nation was founded on the principle that people had freedom and this freedom entailed the opportunity to make choices. As we begin to industrialize that principle of freedom, we begin to be encapsulated in our, for lack of a better term, industrial policies; and part of that policy has been our energy policy.

Now, there are some people and there are some countries around the world that think an energy policy for a coun-

try should mean the command and control policy where the government dictates, the government owns, the government decides; but that is not what we in America believe. And in the bill that is going to be before us this afternoon, the Domenici-Barton Policy Act of 2005, we decided that "energy policy" means government setting the frame work, government deciding the parameters and the ground rules; but fundamentally we still believe in freedom of choice and freedom of opportunity. We believe in private property. We believe in economic choices.

So the bill before us does not dictate to the American people or to the corporations and to the interest groups that make up America exactly how we should develop our energy resources. It sets the ground rules.

I want to divide the energy sector into two components, stationary energy and mobile energy. On the stationary side, this is the best bill that has ever been before the Congress of the United States of America. It is going to fundamentally transform the way we develop our energy resources to generate electricity, whether it is in our coal area where there is great, great work on clean coal technology; in the nuclear area where we really revitalize nuclear power; or whether it is in the way we do the transmission grids; whether it is the way we site new transmission lines; whether it is the way that we determine what the reliability of our system has to be, has to be maintained.

This is an excellent bill.

Now, on the mobile source, which is primarily oil which we refine into gasoline, this is a good bill. But I cannot tell the American people that it is a great bill in the sense that it is going to reduce your gasoline prices next week if the House passes it and the Senate passes it and the President signs it.

Here is the fundamental problem we face on our mobile energy sources. We consume 21 million barrels of oil every day in this country, and we only produce 8. You subtract the 8 out of 21 and you get 13. So we are importing about 13 million barrels of oil a day. On our best day, the United States of America did not produce more than 10 million barrels of oil a day, on our best day. There is nothing we can do that is going to generate another 13 million barrels of oil produced in the confines of the United States of America. It cannot be done.

Now, we can produce more and we have an inventory and the OCS has been under moratory that will at least allow us to see what might be out there. When we come back in September in reconciliation, we are going to pass a provision that allows us to drill up in ANWR and maybe produce as much as 2 million barrels of oil today. And we have a component of this bill that will continue research on the hydrogen economy so that perhaps we can come up with an alternative to

the internal combustion engine. And we have incentives in this bill to help our automobile manufacturers develop the hybrid technology so that we can get it more cost effective. We have some credits for people in this bill that could purchase hybrid vehicles.

So we are trying to narrow the gap; but as long as we are consuming 21 million barrels and we are only producing 8, we are going to be importing a fair amount of our oil. So we need to find a way to use that oil more effectively and this bill does that.

It also makes it possible, perhaps, to build some new oil refineries in our great Nation. We have not built a new oil refinery in the United States of America in 35 years. This bill for the first time begins to take some modest steps to make that possible.

I hope when the time comes, we vote for the rule this afternoon. I hope on a bipartisan basis we overwhelmingly vote for the bill.

Mr. McGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentlewoman from West Virginia (Mrs. CAPITO), a member of the Committee on Rules.

Mrs. CAPITO. Mr. Speaker, I thank my colleague from the Committee on Rules for yielding me time.

Mr. Speaker, I rise in strong support of the rule and the Domenici-Barton Energy Conference Report because it is the national energy strategy that our Nation has waited on for decades. This legislation will ensure adequate energy supply for consumers, help to drive down energy costs, and provide jobs in the energy industry.

I would like to highlight one facet of it as particular importance to me and my State. Coal provides thousands of jobs in West Virginia and produces the energy needed by customers across the country. This bill contains a number of provisions to support clean coal technology that will allow coal to continue to provide for the Nation's energy needs while also protecting our environment.

First, I am pleased that the conference report includes a 20 percent tax credit for new Integrated Gasification Combined Cycle facilities. IGCC facilities are on the cutting edge of new energy technology. Other tax credits for Industrial Gasification and Advanced Combustion will also further the use of clean coal. The bill also allows for power plants to amortize the cost of air pollution controls over 7 years, an important step towards cleaning up existing coal-fired facilities.

The Clean Coal Power Initiative, a 9 year, \$1.8 billion program to demonstrate advanced coal technologies, created by this bill, will allow us to develop the next generation of clean, efficient coal use.

The Energy Policy Act is good for West Virginia coal, West Virginia jobs, and great for our Nation's economy and energy security. I hope my col-

leagues will join me in support of the rule and the underlying bill.

Mr. McGOVERN. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I thank my colleague from Washington for the time.

Mr. Speaker, I have enormous respect for the gentleman from Texas (Mr. BARTON) and the gentleman from Michigan (Mr. DINGELL), the ranking member. They have worked in a bipartisan way in this conference committee to produce this bill.

Mr. Speaker, the following is an editorial that appeared in *The Washington Post* today entitled "Energy Deficient" and the editorial that appeared in today's *New York Times* entitled "Energy Shortage."

[From the *New York Times*, July 28, 2005]

#### ENERGY SHORTAGE

The energy bill that has been six years in the making and is nearing the president's desk is not the unrelieved disaster some environmentalists make it out to be. But to say, as President Bush undoubtedly will, that it will swiftly move this country to a cleaner, more secure energy future is nonsense. The bill, approved by a House-Senate conference early Tuesday morning, does not take the bold steps necessary to reduce the nation's dependence on foreign oil, and it also fails to address the looming problem of global warming.

These shortcomings are chiefly the fault of the White House and its retainers in the House. To be sure, the Senate showed no more courage than the House in its refusal to increase fuel-economy standards for cars and trucks, even though higher standards, by common consent, are the easiest, quickest and most technologically feasible way to reduce oil demand and cut foreign imports.

But the Senate did approve a renewable fuels provision requiring power plants to produce 10 percent of their electricity from nontraditional sources, like wind power, by 2010. It also approved a provision that would ask the president to reduce domestic oil consumption by one million barrels a day by whatever means he chose. The House conferees rejected both proposals.

Meanwhile, both houses conspired in some spectacular giveaways. One would ease environmental restrictions on oil and gas companies drilling on public lands. The other would shower billions in undeserved tax breaks on the same companies, even as they wallow in the windfall profits produced by \$60-a-barrel oil.

The bill's most useful provisions may take years to realize their promise. Again thanks largely to the Senate, the tax provisions are far more hospitable to energy efficiency and renewable fuels than earlier versions of the bill, and include substantial incentives for buyers of fuel-efficient hybrid cars.

More important in the long run, however, may be two provisions, buried deep in the bill, that are aimed at developing new energy technologies. One provision would encourage the development and commercial application of biofuels from agricultural products that, much like corn-based ethanol, might someday be used as a substitute for gasoline. The other provision is aimed at developing new clean-coal technologies to turn coal into a gas and, more important, capture emissions of carbon dioxide, a major contributor to global warming.

These could be powerful new tools in any future effort to reshape the way Americans produce and use energy. But the success of both will depend on the willingness of the government to put money into them. That,

in turn, will require a deeper commitment to a more adventurous energy policy than this administration has so far displayed.

[From the *Washington Post*, July 28, 2005]

#### ENERGY DEFICIENT

Here's the nicest thing that we can say about the comprehensive energy bill that the House and Senate are due to take up, and will probably pass, before they leave town at the end of this week: It could have been a lot worse. Unlike the energy bill that the Senate filibustered in 2003, and in contrast to some earlier versions, this genuinely bipartisan bill contains fewer egregious pro-pollution measures and less pork. It will jump-start the commercial use of new clean coal, ethanol and biomass fuel technologies; promote energy efficiency standards; encourage investment in the electricity sector; and reinforce electricity reliability at last. It is less expensive than previous bills: The \$11 billion net cost of the tax package plus the \$2 billion direct spending comes to a relatively modest (for an energy bill) \$13 billion over 10 years, with further costs depending on future appropriations.

Nevertheless, this is a bill that leaves most of the hard questions for later. Aside from a few tax breaks for purchasers of fuel-efficient cars, it makes no significant attempt to reduce the enormous automobile fuel demand that makes this country so dependent on imported oil. While it provides incentives for the construction of a new generation of nuclear power plants, it doesn't deal with the unresolved long-term problem of nuclear waste. It leaves out the whole question of mandatory controls on the greenhouse gases that cause climate change, thereby costing both an opportunity to raise revenue and create a market mechanism that might have accelerated the development of cleaner, more efficient technologies. It also perpetuates distortions in the energy market, providing needless subsidies for oil drilling offshore and on federal lands, and for marginal oil wells. And, by the way, don't believe the spin: This bill will not lower fuel prices anytime soon.

Given how long Congress labored over this legislation, and how much negotiation was required to get it to this stage, it's hard not to be disappointed by a bill that in effect preserves the status quo. It's also hard not to wonder whether the era of comprehensive, 1,700-page energy bills designed to appeal to multiple constituencies has passed. Clearly, some of the missing pieces—especially climate change and automotive fuel efficiency—will have to be dealt with separately in the future.

But it's also true that some of the less controversial pieces of this bill, such as the electricity reliability provisions and the efficiency standards for appliances, could have been passed years-ago. Now that this process is over, congressional leaders should step back, focus on the nation's most urgent long-term energy needs and get to work on more carefully targeted legislation.

Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in permitting me to speak on the rule on the energy bill.

One is just struck by the rhetoric surrounding this because only people who are captive inside the beltway bubble would believe the rhetoric about this being a positive development for our country. People do not have to take the word of politicians for this. Any person can deal with reputable

independent analysis from academics, from scientists, even looking at conservative think tanks to find out that the arguments are not sustainable.

This is, unfortunately, serious business. It is not just a list of special tax breaks and dodging hard issues. This is serious business for our country because our addiction to huge amounts of foreign oil that come from unstable parts of the world dooms us to costly dependency and means that we will continue to finance both sides of what they used to call the "war on terror."

This bill has no vision of a sustainable energy future for renewables and meaningful conservation, not window dressing but meaningful conservation. People are lining up in this country to buy energy-efficient vehicles that are only available by a handful of producers, and there is an opportunity lost to change that in terms of fuel efficiency. Ten percent of the world's supply of oil is dealt with in our addiction to inefficient energy transportation.

We are even falling behind not just the developed countries like Germany and Japan who have much more efficient use of energy; we are falling behind emerging countries. People on the floor are apoplectic about China buying an oil company, Unocal. Well, China at least is getting its energy house in order. As an emerging country, it has officially committed to a much more dramatic and aggressive program for renewables than the United States.

This bill is not an energy policy. It is a list of tax breaks and special interest favors that does not by any stretch of the imagination translate into a cohesive approach which global reality today demands for this country, demands for any country. It spends over \$7 billion in subsidies to oil companies, the most profitable sector of our economy already flush with cash. I will not detail the harmful provisions that are going to come forward that are unnecessary exemptions for the oil and gas industries for compliance with the Clean Air Act, the backdoor immunity to MTBE producers and distributors that unfairly and inappropriately denies injured parties.

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That will be discussed, I think, further here in the course of the debate.

But the point that I want to make is that instead of being a milestone for energy policy in this country, people will look back at what Congress does—because I have no doubt that the rule will pass and the bill will pass—but it will be inexcusable, inexcusable, as people are asked by our interns in the future, by our constituents, by our children, how could we be so wrong-headed? What should have been a milestone for energy policy at this critical time will instead be a tombstone, a monument to an energy policy of previous decades that we will enact to the detriment of our economy, the environment, and our children for years to come.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. I thank the gentleman for yielding me this time and for his very diligent and hard work on the Rules Committee, but also his hard work in terms of addressing the issues relating to this energy conference report.

Once again, and I want to talk a little bit about the substance, this administration and the Republican leadership, I believe, quite frankly, have put the profits of their friends in the energy industry ahead of the needs of the American people, ahead of the needs of our economy and our environment. Instead of reducing high gas prices, and I know in California we have some of the highest gas prices, and these gas prices are squeezing businesses and consumers at the pump. This bill, unfortunately, provides over \$12.8 billion in giveaways to the oil and gas industries who are now making excessive profits and squeezing our consumers in terms of gas and oil prices.

Instead of encouraging the development of renewable energy and putting the United States economy at the forefront of the green revolution, this shortsighted bill, and that is what I say it is, it is very shortsighted, it will only increase our dependence on foreign oil. It will further subsidize corrupt and oppressive regimes throughout the world. It also puts our troops on the front lines, quite frankly, of our energy policy.

Instead of protecting our environment and our health by taking modest steps to curb greenhouse gas emissions and increase vehicle gas mileage, this bill would allow oil and gas companies to further pollute our skies, our water and our environment without paying the consequences. The health of the American people, I believe, is quite at risk as a result of this bill.

We need a comprehensive energy bill with a vision for the future that embraces ingenuity, reduces our chronic addiction to fossil fuels, fights global warming, which we all recognize is a huge problem. Just look at the weather changes this year. Last year. We have got to address global warming. This bill could do that. It could help us address pollution. It could help us protect our planet. But it puts our economy unfortunately on the wrong path rather than on the path to long-term sustainability.

While I want to commend our ranking member for at least making this bill much better than what it was, from what we remember when it left this body, it is still a bill that I believe forces us to rely on foreign energy sources rather than move us toward energy independence. I thank the gentleman from Massachusetts for the time. Unfortunately, I am going to have to vote against this bill.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 additional minutes to the gentleman from Texas (Mr. BARTON), chairman of the Energy and Commerce Committee.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, I want to try to set the record straight about this bill and add some comments that I did not make in my previous statement. The Senate had 14 conferees on the bill, 8 Republicans and 6 Democrats. Thirteen of those conferees signed the conference report. We had all the Republicans in the Senate and five of the six Democrats sign this conference report. In the House, a majority of the House Democrat conferees have signed the report, a majority. Of the Energy and Commerce Committee conferees that were general conferees, a majority of those conferees signed the conference report, including the distinguished former chairman of the committee, JOHN DINGELL of Michigan.

We have a bipartisan bill that has come before the House. As I enunciated earlier, if your vision of an energy policy is a policy where the government tells you what you can do and when you can do it and how you can use your energy, this is not your bill. But if your vision of America is a vision of America that says it is okay to let the private sector, with the appropriate environmental guidelines and open market transparency rules and regulations, develop its resources for the good of all the people, this is your bill.

In terms of incentives for alternative energy, this bill has got more incentives at the individual level and at the general industrial level than any other energy bill that has ever been before this Congress. Whatever your energy source of choice is, there is something in this bill to help you decide if you want to maximize that choice. What this bill does not do is say every American has to drive a vehicle that gets 50 miles to the gallon whether they want to or not. Those vehicles are available right now in the marketplace, and Americans have the right to choose. This bill does not dictate that choice.

This bill also makes it possible, again without repealing or fundamentally changing any existing environmental law, to do some at least exploration and in some cases development of our onshore and offshore energy resources. As I said earlier, it fundamentally revitalizes the clean coal technology industry in this country and the nuclear power industry in this country.

This is a good bill. It is a bipartisan bill. A majority of the House Democrat conferees and every Republican conferee signed the conference report. Last night when we were before the Rules Committee, the gentleman from Michigan and I were both unanimous in that this should come to the floor under a rule that both sides could support. I want to commend the distinguished Rules Committee, in the gentleman from Washington's view, presenting the best rule that has ever been presented on the floor of the House of Representatives.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I do not mean to belabor this. I have great respect for the skills, the great skills, of the chair of the Energy and Commerce Committee. But it is just laughable to suggest that this is not your bill if you think you ought to dictate to the American public that you have to drive a car that gets 55 miles to the gallon, as if that were the only choice. A meaningful choice to raise CAFE standards the way other countries have done to their great advantage. That would have made more choices available to the American public and is something that is within our power, that we could do. It has nothing to do with forcing Americans to drive a car that gets 55 miles to the gallon. But the lack of a meaningful policy dealing with vehicle efficiency means that it is very difficult. There is a huge waiting list. It took me 6 months to get a hybrid SUV.

We are dropping the ball here. As to the notion that this is the best opportunity in terms of renewable energy, talk to the people in the industry who are ready, willing and able. Ask them if it is the best bill ever. That is not what I hear from people in this industry. I respectfully disagree.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

Let me just say in conclusion that I have great respect for Chairman BARTON and Ranking Member DINGELL. They have worked very hard on this bill. I think it is a better bill that is before us than the one that we passed here in the House. As Chairman BARTON pointed out, Ranking Member DINGELL supports this bill. There was virtually a love fest in the Rules Committee last night, in part a tribute to the process during these last several weeks.

Having said that, some of us obviously have some philosophical differences, and some of us feel compelled to vote against this bill. I have no doubt that this bill will pass with strong bipartisan support, but as I said at the beginning of my remarks, I feel compelled to oppose the bill as well. I am concerned about some of what I consider are giveaways in this bill that I think were unnecessary. One would ease environmental restrictions on oil and gas companies drilling on public lands. The other would give billions of dollars in, I think, undeserved tax breaks to companies that, quite frankly, right now are gouging Americans. Oil companies right now, I think, are gouging Americans who are paying the highest gas prices in recent memory.

I think this bill could have been a better bill. Again, there are philosophical differences here. There will be a debate on the conference report. I have no objection to the rule. Again, let me close by expressing my respect and admiration for Chairman BARTON and Ranking Member DINGELL, not-

withstanding the fact that I oppose their final product.

Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, 4½ years ago, President George W. Bush stood in this Chamber during his first State of the Union Address and said, "We have a serious energy problem that demands a national energy policy. Our energy demands outstrip our supply. We can produce more energy at home while protecting our environment, and we must. We can produce more electricity to meet demand, and we must. We can promote alternative energy sources and conservation, and we must. America must become more energy independent, and we will."

Today, Mr. Speaker, this rule brings before the House a comprehensive, bipartisan energy plan that will help us produce more energy at home while protecting the environment; produce electricity to meet increasing demand; and promote alternative energy sources and conservation. This energy plan will help America meet its demands of today while planning for the energy needs of future generations, and it will allow us to become more energy independent.

Accordingly, Mr. Speaker, I urge a "yes" vote on the rule, House Resolution 394, and the underlying bill.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2985, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2006

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 396 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 396

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2985) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 1 hour.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from Cali-

fornia (Ms. MATSUI), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to revise and extend his remarks.)

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, House Resolution 396 is a traditional, standard rule for consideration of the conference report for the fiscal year 2006 Legislative Branch Appropriations Act. The rule provides 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

The legislation before us appropriates \$3.084 billion for operations of the legislative branch. The bill is fiscally sound. It includes a modest increase from the bill of fiscal year 2005.

In accordance with long practice, Mr. Speaker, each body determined its own fiscal requirements. As such, the conference report includes \$1.1 billion the House of Representatives originally appropriated for its operations earlier this year. It also includes the \$759 million the Senate appropriated for its operations. The appropriations for both the House of Representatives and the Senate includes funds for Members' representational allowances, leadership and committee offices. These funds will help Members fulfill their duties to legislate and to oversee.

These funds also help Congress complete the vitally important task, as I have just mentioned, which is the oversight of the executive branch. The Constitution grants Congress broad powers that include the extraordinarily important power of oversight. This includes obviously getting to know what the executive is doing, how programs are being administered, by whom and at what cost, and whether officials are complying with the law, with the intent of the law.

For the Capitol Police, who each and every day protect us, our staffs, and our constituents visiting the Capitol, the bill appropriates over \$249 million. This level of funding will support the current staffing level of 1,592 officers, an additional 43 officers for the Library of Congress and 45 new officers for the Capitol Visitors Center. Also included is an inspector general for the Capitol Police to help the Capitol Police with administrative operations such as financial management and budgeting.

The bill also includes an important piece of legislation, the Continuity in Representation Act of 2005. As we all know, Mr. Speaker, on September 11, 2001, flight 93 was headed toward us here. If it were not for the heroic acts of the passengers on flight 93, we could very well have faced a situation where Congress may not have been able to function. We cannot allow this to happen. We certainly have to do everything we can to not allow it to happen.